

Appl. No. 09/941,500  
Amd. Dated December 16, 2004  
Reply to Office Action of 10/19/2004

### **REMARKS**

#### **Reconsideration and Allowance are Respectfully Requested**

Claims 55-58, 63, 68 and 70-78 are currently pending. Claims 55, 68, 74 have been amended. Claims 1-54, 59-62, 64-67, 69 and 79-82 have been canceled. Claims 63, 70-73 and 78 have been withdrawn based upon a prior election. The Specification and drawings have been amended. No claims have been added. No new matter has been added. Reconsideration is respectfully requested.

With regard to the outstanding Office Action, claims 55-58, 68 and 74-77 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Swedish Patent No. 8202375-5 (Swedish patent). In addition, the Office Action presents a provisional rejection based upon the Swedish patent and U.S. Patent No. 4,577,448 to Howorth (Howorth). These rejections are respectfully traversed in view of the preceding amendments and the remarks which follow.

With regard to the rejection based upon prior art and, in particular, the application of the Swedish patent alone and/or in combination with Howorth, Applicant has amended all of the pending independent claims to further define the tapered surfaces of the protrusions extending from the base of the connector. In particular, Applicant has amended the claims such that they define that each protrusion includes “a first tapered surface facing away from the projection and extending at an oblique first angle relative to the base plane and [a] second tapered surface facing the projection and extending an oblique angle relative to the base, wherein the first angle is less than the second angle”.

In contrast to the claimed invention, the Swedish patent discloses a first angled surface 15 and arguably a second angled surface 14. The angled surfaces appear to have similar orientations with respect to the based member, that is, a 45° angle relative thereto. Apparently, the angled surfaces were provided for clearance purposes and the specific angular orientation has nothing to do with the functionality of the Swedish patent.

The present connector is designed for a very different attachment mechanism when compared to the Swedish patent. In particular, the present connector is designed for lateral attachment of flooring panels as previously installed flooring panels lie upon the floor. This allows for a flooring panel to be laterally inserted for coupling with the projection and protrusions as the connector lies upon the support surface. The orientation of the first and second angled surfaces as claimed is very important. The first angled surface allows for the flooring panel to ramp up the connector, while the second angled surface holds the flooring panel in position once it has been secured to the connector.

In contrast, the Swedish patent requires that the flooring panels be placed adjacent one another and that a connector be slid within the recesses defined thereby. As such, and as mentioned above, the angled surfaces of the projections are ultimately not critical and there is no reason to orient them at different angular orientations. With regard to the application of Howorth, this reference does not assist in overcoming the prior art of record as Howorth discloses angled surfaces which also appear to be equal.

In view of the very different attachment structures contemplated by the Swedish patent and the claimed invention and, consequently the very different structures employed by the claimed

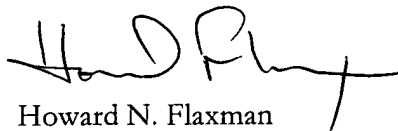
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invention and the Swedish patent, it is Applicant's opinion amended claims 55, 68 and 74 overcome the disclosure of the Swedish patent and that nothing in the prior art either discloses or suggests the obviousness of modifying the Swedish patent to read upon the pending claims. As such, Applicant respectfully requests that the rejections relating to claims 55, 68 and 74 be withdrawn. With regard to those claims dependent upon independent claims 55, 68 and 74, they are believed to overcome the prior art of record for the reasons discussed above and Applicant respectfully requests that these rejections also be withdrawn.

While preparing the present Amendment, it was noted that an Office Action issued on August 28, 2002 approved the submission of a new Figure 19 and required that corrected drawings be provided. However, the predecessor to Applicant's current representative never filed the required drawing. With this in mind, and in an effort to make the present application complete, Applicant herein submits Figure 19 along with the appropriate amendments to the specification for incorporation within the present application.

It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested. If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicant's representative at the below number.

Respectfully submitted,

  
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**Amendments to the Drawings:**

The attached sheet of drawings includes new Figure 19. This sheet, which includes Figure 19, is in response to the Office Action dated August 28, 2002, which indicates the proposed drawing corrections filed July 9, 2002 should be filed.

Attachment: Replacement Sheet